

REMARKS

In the Office Action dated February 13, 2004, the Examiner rejected claims 1-63 under 35 U.S.C. § 103(a). Applicant believes that none of the five references cited in the Office Action show or suggest either (A) providing a reading recommendation of books to read based on an evaluating means or (B) adjusting a level profile of an electronic book. Nevertheless, in order to expedite the proceedings, Applicant has amended claims 1, 2, 8, 13, 17, 18, 24, 30, 31, 34, 35, 36, 41, 42, 48, 51, 52, 53, 57, 61, 62, and 63 without prejudice to present the original subject matter in one or more continuing applications. Applicant has also canceled claims 14-15 and added claims 64-67.

A. Providing a reading recommendation of books to read based on an evaluating means

Claims 1, 8, 30, 34, 42, and 51 have been amended to more distinctly claim the manner in which the user's reading skill is evaluated. In amended claims 1, 8, 30, 34, 42, and 51, Applicant recites a means for evaluating the user's reading skill. The evaluation is performed by computing a score based on factors extracted from an output of a speech recognizer and a correct response. The factors may include the number of insertions, deletions, and substitutions needed to convert the user's response into a correct response. Additionally, the factors may include pauses and stretching out letters or sounds, which may indicate that the user is having difficulty with reading the text. The correct response is determined from sample responses provided by sample speakers.

None of the references cited in the Office Action shows or suggests the means for evaluating the user's reading skill as currently claimed by Applicant. U.S. Patent No. 6,017,219 ("Adams") describes using a learner population-specific acoustic model that is used by a speech recognition engine to enhance recognition of children's speech and assist in assigning a textual interpretation to

the received speech signals. (See, e.g., Adams, column 4, lines 48-52.) This model is used to enhance recognition of the user's speech. (See, e.g., Adams, column 5, lines 20-25.) However, Adams does not show or suggest using the model to determine a correct response. Nor does Adams show or suggest computing a score based on factors extracted from an output of a speech recognizer and a correct response that is determined from sample responses provided by sample speakers.

U.S. Patent 6,077,085 ("Parry") describes evaluating a user's response by recording the user's response. In one scenario, the user is asked to repeat after a native speaker. The user is prompted to record and play back his recording to increase familiarity with the sentence and grammar principle. (See, e.g., Parry, column 11, lines 26-30.) In another scenario, the user is prompted to perform a task and the user's response is recorded. A model response is then played and the user can compare the recorded response with the model response. (See, e.g., Parry, column 12, lines 28-34.) In this context, the word "model" is an adjective used describe the response as an example to be imitated. Parry's response is a signal and not a model of correct responses that can be used to compute a score. Accordingly, Parry does not show or suggest computing a score based on factors extracted from an output of a speech recognizer and a correct response that is determined from sample responses provided by sample speakers.

U.S. Patent No. 5,540,589 ("Waters") describes a voice recognition unit based on finite state grammar. (See, e.g., Waters, Abstract.) Only a small number of very specific expected responses are expected from the user and the responses are represented by the statistical descriptions that correspond to the finite state grammar. (See, e.g., Waters, column 7, lines 52-67.) The finite state grammar is not based on "sample responses provided by sample speakers" as claimed. (See, e.g., Waters, Table 5 and column 15, lines 25-60.) Accordingly, Waters does not show or suggest

evaluating the user's reading skill by computing a score based on factors extracted from an output of a speech recognizer and a correct response that is determined from sample responses provided by sample speakers.

U.S. Patent No. 5,697,793 ("Huffman") is silent with respect to evaluating the reading skills of a user reading out loud. Huffman describes a method of displaying at least one metric in an electronic book. (See, e.g., Huffman, Abstract.) The at least one reading metric may be a reading pace, the amount of book that can be read at the reading pace during the remaining power time, or an estimated completion time for a portion of the book. (See, e.g., Huffman, Abstract.) However, these metrics are calculated based on the user touching a touch screen integrated into the electronic book or, alternatively, with buttons external to the touch screen. (See, e.g., Huffman, column 16, lines 37-43.) Accordingly, Huffman does not show or suggest evaluating the user's reading skill by computing a score based on factors extracted from an output of a speech recognizer and a correct response that is determined from sample responses provided by sample speakers.

U.S. Patent No. 6,299,452 ("Wasowicz") describes using speech recognition technology to interact with tests. (See, e.g., Wasowicz, Abstract.) A child may see one or more items on the computer screen and speak the name of each item into a microphone. The speech is interpreted by the speech recognition software and compared to a correct response. (See, e.g., Wasowicz, column 7, line 66 to column 8, line 11.) However, Wasowicz does not describe how a correct response is created. Nor does Wasowicz show or suggest evaluating the user's reading skill by computing a score based on factors extracted from an output of a speech recognizer and a correct response that is determined from sample responses provided by sample speakers.

None of Adams, Parry, Waters, Huffman, and Wasowicz shows or suggests evaluating the user's reading skill by computing a score based on factors extracted from an output of a speech

recognizer and a correct response that is determined from sample responses provided by sample speakers. Accordingly, the combination of Adams, Parry, Waters, Huffman, and/or Wasowitz does not show or suggest evaluating the user's reading skill by computing a score based on factors extracted from an output of a speech recognizer and a correct response that is determined from sample responses provided by sample speakers. Because the combination does not show or suggest each and every element of claims 1, 8, 30, 34, 42, and 51, Applicant submits that claims 1, 8, 30, 34, 42, and 51 are not obvious in light of the combination of Adams, Parry, Waters, Huffman, and/or Wasowitz.

Claims 2-7 depend from claim 1. Claims 9-13 and 16-29 depend from claim 8. Claims 31-33 depend from claim 30. Claims 35-41 depend from claims 34. Claims 43-50 depend from claim 42. Accordingly, Applicant submits that claims 2-7, 9-13, 16-29, 31-33, 35-41, and 43-50 are not obvious in light of the combination of Adams, Parry, Waters, Huffman, and/or Wasowitz for at least the reasons set forth above.

B. Adjusting a difficulty level profile of an electronic book

Claims 2, 18, 24, 31, 35, 48, 52, 53, 57, 61, 62, and 63 have been amended to clarify that a level profile of a book is a difficulty level profile. Additionally, claims 2, 18, 31, 35, 48, 52, 53, 61, 62, and 63 have been amended to clarify that the difficulty level profile is adjusted while a user is reading the electronic book. Of these claims, claims 52, 53, 61, 62, and 63 are independent claims.

As described in Applicant's specification, the recommendation device may provide a real-time adjustment to the text presented to the user. (See, e.g., Applicant's Specification, page 10, lines 1-3.) The recommendation device may switch from one version of the book at a first level profile, to another version of the book, at a different level profile, based on the user's reading skill profile. (See,

e.g., Applicant's Specification, page 10, lines 15-18.) Accordingly, if the system detects that the user is easily reading the material, the system may increase the reading difficulty of the text. Conversely, if the user is having trouble reading the text, the system may reduce the reading difficulty of the text.

None of the references cited in the Office Action shows or suggests adjusting the difficulty level profile of an electronic book as the user is reading the electronic book. At best, Huffman describes displaying at least one reading metric on an electronic book. (See, e.g., Huffman, Abstract.) The at least one reading metric may be a reading pace, the amount of book that can be read at the reading pace during the remaining power time, or an estimated completion time for a portion of the book. (See, e.g., Huffman, Abstract.) However, Huffman does not describe adjusting the difficulty level profile of the electronic book. Adams, Parry, Waters, and Wasowicz are silent with respect to electronic books. Accordingly, the combination of Huffman with any or all of Adams, Parry, Waters, and Wasowicz fails to show or suggest adjusting a difficulty level profile of an electronic book. Because the combination does not show or suggest each and every element of claims 2, 18, 24, 31, 35, 48, 52, 53, 57, 61, 62, and 63, Applicant submits that claims 2, 18, 24, 31, 35, 48, 52, 53, 57, 61, 62, and 63 are not obvious in light of the combination of Huffman, Adams, Parry, Waters, and/or Wasowicz.

Claims 54-56 and 58-60 depend from claim 53. Accordingly, Applicant submits that claims 54-56 and 58-60 are not obvious in light of the combination of Huffman, Adams, Parry, Wasowitz, and/or Waters for at least the reasons set forth above.

CONCLUSION

In light of the above, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a). Applicant submits that the present application is in condition for allowance and respectfully request notice to this effect. The Examiner is requested to contact Applicant's representative below if any questions arise or she may be of assistance to the Examiner.

Respectfully submitted,



Lisa M. Schoedel
Reg. No. 53,564
McDonnell Boehnen Hulbert & Berghoff LLP
300 South Wacker Drive
Chicago, Illinois 60606-6709
312 935 2362
schoedel@mbhb.com

Dated: August 13, 2004